

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-10 are pending in the application, with claims 1, 5, and 8 being the independent claims. Claims 1-10 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Double Patenting

The Office Action rejected claims 1-10 "under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10 of United States Patent 6,161,133." (Office Action at ¶ 4.)

Applicant traverses these rejections. Amendments to claims 1-10 of the instant patent application negate the rationale for the double patenting rejections. Accordingly, Applicant respectfully requests that the Examiner reconsider amended claims 1-10 of the instant patent application and remove the rejections of these claims under the judicially created doctrine of obviousness-type double patenting with respect to U.S. Patent No. 6,161,133.

Additionally, the Office Action issued July 13, 2004 (PTO Prosecution File Wrapper Paper No./Mail Date 20040706) (hereinafter "First Office Action") rejected claims 1-10 "under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10 of United States Patent US 6,622,169 B2." (First Office Action at ¶ 16.) Because these rejections were not mentioned in the instant Office Action, Applicant assumes that they have been removed.

Rejections Under 35 U.S.C. § 102

The Office Action rejected claims 1-10 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,370,141 to Giordano, III *et al.* (hereinafter "Giordano"). (See, Office Action at ¶ 6.) Applicant traverses these rejections.

Amended independent claim 1 recites (emphasis added):

A system for configuring a general network appliance, comprising:
 a specific network;
 a server having a connection to said specific network; and
 a control routine to configure, ***via said specific network,*** the
general network appliance to have access to ***a general network.***

Independent claims 5 and 8 have been amended in a similar manner.

Giordano does not disclose, teach, or suggest using a specific network to configure a general network appliance to have access to a general network. Consequently, claims 1, 5, and 8 are not anticipated by Giordano. Claims 2-4, 6, 7, 9, and 10 depend directly or indirectly from claims 1, 5, or 8. Accordingly, claims 2-4, 6, 7, 9, and 10 are also not anticipated by Giordano. Claims 2-4, 6, 7, 9, and 10 are further

patentable in view of their additional distinctive features. Therefore, Applicant respectfully requests that the Examiner reconsider claims 1-10 and remove the rejection of these claims under 35 U.S.C. § 102(e) with respect to Giordano.

Amendments to the Specification

Applicant has amended the title of the instant patent application to comply with Section 606.01 of the Manual of Patent Examining Procedure. Applicant has also amended the paragraph at page 1, lines 9-11 of the specification of the instant patent application to comply with Section 201.11 of the Manual of Patent Examining Procedure. Applicant has also amended the paragraphs at page 2, lines 2-9; page 3, lines 12-24; page 5, lines 8-17; page 10, lines 16-26; page 11, lines 16-26; page 12, lines 25-29; page 13, lines 13-21; page 13, lines 22-29; and page 14, lines 1-10 to correct grammatical errors.

Conclusion

All of the stated grounds of rejection have been properly traversed. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal

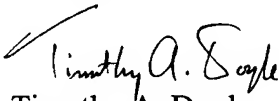
Dan Kikinis
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communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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